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EXAMINER				
ISMAIL, SHAWKI SAIF				
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02/22/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/673,509

Applicant(s)

YEAP ET AL.

Examiner

SHAWKI S. ISMAIL

Art Unit

2455

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 35-41, 44, 45, 47-50, 52, 54, 55, 67-69 and 83 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 35-41, 44, 45, 47-50, 52, 54, 55, 67-69 and 83 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-544)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/23/09
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

RESPONSE TO AMENDMENT

1. This communication is responsive to the amendment and remarks received on 11/17/2009 and 5/14/2009.

Claims 35-41, 44-45, 47-50, 52, 54-55, 67-69, and 83 are pending further examination.

Applicants arguments have been fully considered and are persuasive, however upon further review and consideration a new grounds of rejection is hereby made.

Claim Rejections - 35 USC §102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 35-39, 41, 44 and 68-69 are rejected under 35 U.S.C. 102(e) as being anticipated by **Perlman et al.**, (referred to hereinafter as Perlman) U.S. Patent No. 7,395,549.

Perlman relates to providing security in communications across computer networks. More specifically, Perlman relates to a method and an apparatus for providing a key distribution center for clients and servers on a computer network that operates without having to store long-term server secrets.

4. As to claim 35, Perlman teaches an authentication system, comprising:
an access controller operable to communicate with a client via a first communication medium (refer to Fig. 5, col. 7, lines 2-12); and

an authentication server operable to communicate with said client and said access controller via a second communication medium and further operable to deliver a first key to said client and a second key to said access controller (refer to Fig. 2 and col. 5, lines 35 - col. 6, lines 3 for illustrating the communication between the KDC and the server and Fig. 4, col. 6, lines 50 - col. 7, line 1, for the illustrating the communication between a client and KDC), said second key being complementary to said first key such that when said client and said access controller are connected, communications there between can be encrypted using said keys; and wherein said access controller is operable to selectively pass instructions received from said client to a computer attached to said access controller if a verification protocol utilizing said keys is met (refer to Fig. 5, col. 7, lines 2-12, for illustrating the communication between the client and the server using the assigned keys);

wherein said first key is delivered to said client only after said second key has been successfully delivered to said access controller (col. 5, lines 35 - col. 6, lines 3).

5. As to claim 36, Perlman teaches the authentication system according to claim 35, wherein said authentication server is operable to generate said first key and said second key (col. 5, lines 35 - col. 6, lines 3 and col. 6, lines 50 - col. 7, line 1).
6. As to claim 37, Perlman teaches the authentication system according to claim 35, wherein said first key is a public encryption key and said second key is a private encryption key complementary to said public encryption key (col. 5, lines 35 - col. 6, lines 3 and col. 6, lines 50 - col. 7, line 1).
7. As to claim 38, Perlman teaches the authentication system according to claim 35, wherein each of said first communication medium and said second communication medium is selected

from the group of networks consisting of the Internet, the PSTN, a local area network, and a wireless network (col. 4, lines 30-35).

8. As to claim 39, Perlman teaches the authentication system according to claim 35 wherein said computer is a telecommunications switch (col. 4, lines 36-44).

9. As to claim 41, Perlman teaches the authentication system according to claim 35, wherein said instructions are encrypted by said client using said first key and said verification protocol is based on a successful decryption of said instructions by said access controller using said second key(col. 7, lines 2-12).

10. As to claim 44, Perlman teaches the authentication system according to claim 35 wherein said access controller contains a preset second key and said authentication server maintains a record of said preset second key; said authentication server operable to deliver said first key and said second key only if said access controller successfully transmits said preset second key to said authentication server and said transmitted preset second key matches said authentication server's record thereof (col. 5, lines 35 - col. 6, lines 3).

11. Claims 68-69 do not teach or define any new limitations beyond the claims above, therefore, they are rejected for similar reasons.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 40, 45, 47-50, 52, 54-55, 67 and 83 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Perlman et al.**, (referred to hereinafter as Perlman) U.S. Patent No. 7,395,549 in view of “**Official Notice**”.

14. As to claims 40, 45, 47-50, 52, 54-55, 67 and 83, Perlman teaches the claimed invention as discussed above with regards to claims 35-41 and 44. However, Perlman does not explicitly teaches wherein said verification protocol includes a generation of a random number by said client, an encryption of said random number by said client using said first key, a delivery of said random number and said encrypted random number from said client to said access controller, a decryption of said encrypted random number using said second key by said access controller, a comparison of said random number and said decrypted number, and a decision to pass at least a portion of said instructions if said comparison finds a match of said random number with said decrypted number, and a decision not to pass said at least a portion of said instructions if no match is found.

Official Notice teaches the use of three way handshaking protocol in a PKI system to verify the client’s integrity.

It would have been obvious to one of ordinary skill in the art at the time of applicant’s invention to incorporate the teaching of Official Notice into the system of Perlman in order to allow the server to verify the client’s integrity.

Response to Arguments

15. Applicants’ arguments have been fully considered however they are deemed moot in view of the new ground(s) of rejection.

Contact Information

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Shawki S Ismail/
Primary Examiner, Art Unit 2455
February 16, 2010

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